

## JUNE 2020 SUBROGATION NEWSLETTER

### Federal Tort Claims Act Subrogation

The federal government employs nearly 9.1 million workers - nearly 6% of total U.S. workforce. Every year, the government pays an estimated \$35 billion annually because of vehicle crashes alone, an estimated 12.6% of the total economic cost of crashes (Federal 7.1%, State/Local 5.5%). For limited government advocates, the numbers are astonishing. For subrogation professionals, the numbers should represent a tremendous opportunity. [Read More....](#)



### Avoid Standing In The California Intervention Line



In California, until you have received permission from the court to intervene, a party lacks any standing to the action. Filing a motion to intervene can be equated to filing a Notice of Lien because you have yet to receive court approval to intervene. Filing a Notice of Lien does not make you a party to the action nor does it give you any rights to actively participate in the underlying lawsuit. You are standing in California's intervention line. [Read More....](#)

### New Jersey Supreme Court Confirms Workers' Comp Subrogation Is Not Limited By No-Fault Laws

On May 12, 2020, the New Jersey Supreme Court answered a long-standing subrogation question regarding whether a workers' comp carrier is entitled to reimbursement from a third-party tortfeasor who is covered by New Jersey no-fault insurance, even though the employee does not otherwise meet the verbal threshold allowing them to sue the tortfeasor. The Supreme Court confirmed that the subrogation rights of a workers' comp carrier are not affected by New Jersey's no-fault and verbal threshold requirements. [Read More....](#)



### Verdicts and Settlements

In a Wisconsin worker's compensation lien case with a total obligation of \$94,000 based upon the death of the employee, [Eric Goelz](#) was able to secure an \$84,000 recovery ensuring there was not an excessive amount assigned to the claims against which the lien did not attach. Furthermore, Wis. Stat. § 102.29 requires a \$20,000 payment to the state in death cases such as this. Despite that not being paid to the survivor, we were able to convince the parties that the payment to the state was still recoverable as part of the lien.



### Time Travel For The Insurance Industry

See [HERE](#) for a provocative 60-second video explaining why Matthiesen, Wickert & Lehrer views the handling of your subrogation claims - large and small - as time travel for the insurance industry. We help turn back the hands of time and attack the enemy of our industry - claims - utilizing our experience and expertise. Check it out!



### Join MWL's LinkedIn Subrogation Support Network Group!

We welcome you to join our LinkedIn [Subrogation Support Network](#) Group! It is a community managed by Matthiesen, Wickert & Lehrer, S.C., that offers insurance professionals a place to interact, discuss subrogation insurance-related topics and issues, ask subrogation questions, and keep abreast of new developments and/or changes in the subrogation law for all 50 states. If you would like to join this LinkedIn group, please click [HERE](#).

### We Are Social | Follow Us

We are asking our clients and friends to help us expand our social media presence by following our firm's [LinkedIn](#), [Facebook](#), [Twitter](#), and [YouTube](#) pages. The legal face of insurance litigation in our industry seems to change almost daily. Following our social media pages will assist you in keeping up-to-date and informed on developments and changes in the law that effect the industry, which is key to obtaining the best results.

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